



# DRAYTON MANOR HIGH SCHOOL

## NOTES OF GUIDANCE ON HOW TO APPEAL

### A RIGHT OF APPEAL

Under section 84 of the School Standards & Framework Act 1998 parents have the right to appeal against an admission authority's decision refusing their child admission to a school. If you wish to appeal you should complete the enclosed form, address it to the Clerk to the Independent Appeal Panel, Drayton Manor High School, Drayton Bridge Road, London W7 1EU by 12 noon on Friday 19 April 2024.

The Appeals Committee is a group of people with experience of education and knowledge of schools. They will look at your appeal independently because they have not been involved in the decision against which you are appealing.

Appeal hearings should be held within a reasonable time – normally within 40 school days of an appeal being received. You will receive written notice at least 14 days (10 school days) before the date the appeal will be heard unless you agree to a shorter period. At this time, we will also advise you of the venue for the appeal. If a parent fails to attend, and it is also impractical to offer an alternative date, the appeal will go ahead and be decided on the written information submitted.

Supporting documentation that is to form part of your appeal should be attached to your Appeal Form and will be forwarded to the panel. Any earlier correspondence between parents and the school will automatically be included in the panel's papers.

There is no statutory time limit for submitting information about your appeal and you may be able to submit information after lodging your appeal, but before the hearing. However, it is obviously helpful to all parties concerned if information can be provided as early as possible for due consideration. It may be necessary to adjourn the hearing if significant information is received less than three school days before the hearing, which the panel considers may need further investigation or which the Governors of the school may need time to respond.

### B HOW TO COMPLETE THE FORM

The letter the school sent to you gives the reason why it has not been possible to offer your child a place at this school.

- If you wish that your appeal should be decided on the basis of written statements, you should complete sections A, B, C and E of the form

The written statements from you and the Chair of Governors will be considered in private by the Appeals Committee and you will be notified of the decision by the Appeals Committee in writing as soon as possible

- You may present other information which supports your application
- Where you intend to appear personally or be represented, you must give in outline the case which will be presented at the hearing so ensuring that each party will be aware of the main arguments to be presented by the other at the hearing and can prepare accordingly

- If you wish to be accompanied or represented at the appeal hearing by a friend, adviser, interpreter or signer you should complete section D in addition to sections A, B, C and E.

## C APPEALS COMMITTEE PROCEEDINGS

The Appeals Committee will be as informal as possible and the proceedings will normally be as follows:

1. the case for the Governors
2. questioning of the Governors' case
3. your case (which may be put by you or your representative)
4. questioning of your case
5. summing up for the Governors
6. your summing up

## D APPEALS DECISIONS

The decisions of the Appeals Committee are binding on the Governors. The Appeals Committee will advise the decision in writing and the basis on which it was made to parents and the Governors. In coming to their decisions the Appeals Committee has to take into account:

- i the wishes expressed by parents
- ii the arrangements for admission published by the Governors, which include the number of children the Governors intend to admit to the school and the criteria for admission laid down by the Governors. The latter are shown below:
  - 1 Children looked after by a local authority and adopted children who meet certain requirements (IMPORTANT see the full definition in the Notes below)
  - 2 Children with a brother or sister attending the school at the time of application who could reasonably be expected to still be at the school at the date of entry
  - 3 Children for whom Drayton Manor High School is their nearest publicly funded High school
  - 4 Other children

Where two or more children have equal priority having applied all criteria, places will be allocated by distance, with those living closest to the School being accorded the highest priority

### Notes

**Looked after children** are those in the care of a local authority or being provided with accommodation by local authority social services (section 22(1) Children Act 1989).

**Adopted children** will meet the requirements if they were 'looked after' but then ceased to be because they were adopted or were made subject to a residence order or special guardianship order.

**Adopted** is defined in the Adoption and Children Act 2002 (section 46).

**Residence order** is defined in the Children Act 1989 (section 8)

**Special guardianship order** is defined in the Children Act 1989 (section 14A)

The word brother or sister refer to all blood, half, step, adoptive and foster brothers and sisters who live at the same home address

Distance from home to the school is that determined by the London Borough of Ealing using whatever measuring system it operates in the application year for those schools for which it is the admissions authority. However, for applications to Drayton Manor High School, the Borough applies the following arrangements, whether they are applied to its schools or not.

- The distance from home to school is measured by the shortest walking route using public highways and lit footpaths only, but excludes common land and public open spaces.
- It does not take into account access by public transport or any private vehicle.

This measuring policy will also be used when measuring distances to other schools, to establish if Drayton Manor High School is an applicant's nearest Ealing High School.

The child's home will be assumed to be that of the mother unless evidence is provided to prove otherwise. Alternative addresses such as a relative's or child minder's, will not be accepted and should not be given. In the situation where a move is temporary, (eg due to building works) the normal, permanent residence of the child (ie the address at which the child was resident before the period of temporary residence began) will still be used for the calculations of distances.

For any parent who, for whatever reason has more than one property, they should only refer to the property in which the child actually resides. In cases where parents are separated and the child lives for periods with both, then the child's address will be that property at which, during the school year, the child for the most part resides. Documentation will be required to confirm the arrangement. If this is not available, then the use of the address of the parent who receives the child benefit will be used when prioritising the application.

All offers of a place made by the school, or on behalf of the school, will be conditional upon the receipt of proof of residence. The provision of false or misleading information may lead to the withdrawal of an offer

#### Tie Breaker

If two or more children have equal priority under criterion 1 or 2, the distance criterion set out in 3 or 4 above will be applied. If two or more children have equal priority under criterion 3 or 4 places will be randomly allocated.